

REMARKS

Presently pending in the current application are claims 1-4 and 6-39. Claims 5, and 40-42 are cancelled, claims 1-4, 6-8, 12, 15-17, 26, 31, 32, 35, and 37 and claims 9-11, 13, 14, 19, 21, 22, 24, 25, 27-29, 34, and 39 were previously presented, and claims 18, 20, 23, 30, 33, 36, and 38 are original.

35 USC 102(b) Rejections

Claim 1 was rejected as being anticipated by Simmons (US 5,974,451). In order to demonstrate the differences between Simmons and currently pending claim 1, Applicant has provided the following table:

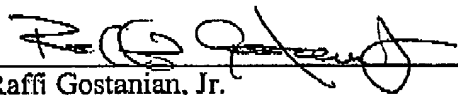
| Claim | Perftech previously presented claim elements | What the Perftech claim elements mean | Simmons' references by examiner | What the Simmons' references mean |
|---------|--|--|---|--|
| 1 a) | Accessing, by a redirecting device, subscriber upstream web traffic to a destination site requested by the subscriber. | The method of utilizing access to upstream Internet traffic during a connection between a subscriber and the destination. <i>Comment: the claim refers to accessing upstream data.</i> | (col. 5, line 8-13, 30-47), specifically: whether bulletins are to be delivered and which bulletins are to be delivered to the external computers | The method of delivering bulletins by use of an intervening device between the user and all sites, a Proxy Cache, that first accesses all requested data so that it can be analyzed in conjunction with a database of personal information about all subscribers to determine what, if any, data to add to user's stored content and when, if ever, to send it by relaying that data to the subscriber. <i>Comment: The Examiner refers to using a proxy to analyze requested downstream data along with a database of personal information on the user to determine whether and when to add bulletin data to the destination data. There is no reference to the claim's "accessing or utilizing upstream data"</i> |
| b) | Identifying, by the redirecting device, the subscriber to provide unique subscriber identification based on the accessed subscriber upstream traffic | The method used by the redirecting device to uniquely identify subscribers (by IP address) by means of analyzing the upstream traffic, during the connection between the subscriber and requested destinations. <i>Comment: the claim refers to the use of accessed upstream data to identify the subscriber.</i> | (col. 4, line 14-18) | The method used by the Simmons Proxy Cache and its Bulletin Server that uniquely identifies subscribers from the log-in information in the "Authentication System" (Figure 2). This applies to networks that require users to log-in for authentication for access. <i>Comment: The Examiner refers to utilizing a network system's separate authentication system, utilizing subscriber log-in procedures, to identify the subscriber. There is no reference to the claim's method of accessing upstream data and using that data to identify the subscriber.</i> |

| | | | | |
|----|---|--|--|---|
| c) | Providing, by the redirecting device, the unique subscriber identifier to a consolidating and management device** | <p>The method used to convey the unique subscriber identifier (IP address), discovered by the redirecting device, to the Consolidating and Management device (the device that determines what action and when is to be taken to deliver information to the subscriber.)</p> <p><i>Comments: the claim only refers to the process whereby the redirecting device provides the Consolidating and Managing device with the IP address discovered from accessing the upstream data.</i></p> | (col. 5, 30-47) | <p>The method used by the Simmons Bulletin Server that monitors downstream traffic from the Internet to the subscriber in order to analyze the format and content of the data going to the subscriber. This information, along with information in a database about that subscriber (such as age, gender, occupation, race, etc.), is used to determine what additional information, if any, the system relays to the subscriber along with the information on the subscriber's requested site. Subscribers never connect to sites, only to the Proxy server to retrieve relayed, modified, pre-fetched data.</p> <p><i>Comment: The Examiner speaks to intervening Proxy devices and databases to determine how to modify the downstream data, relaying it to the subscriber. There is no reference to the claim of providing the IP address to a management device.</i></p> |
| d) | Determining, by the consolidating and management device, the subscriber associated with the unique subscriber identification, and if a bulletin message for the subscriber is desired, sending policy information to the redirecting device, wherein the policy information includes at least one of: time of delivery, frequency, triggering activity, an associated web page to be delivered or other content to be delivered | <p>The method used by the Consolidating and Management device resolves real subscriber identity from the IP address by monitoring provisioning systems (or requests of them). Policies linked to real subscribers are returned to the redirecting device as policies for the IP address containing information for redirection to the content and a schedule for redirections.</p> <p><i>Comment: the claim refers to resolving the real subscriber identity and returning that information to the redirecting device.</i></p> | (col. 4, line 4-8) and (col. 3, line 47-67): | <p>The method of pre-fetching the user's requested content by an intervening device (Proxy) for analysis. This, along with a database of personal information on the user is the basis of determining what data is added to the user's stored requested data and when that is to be subsequently forwarded to the user. If no bulletin is to be sent, "then the received information is forwarded to the external computer unaccompanied by a bulletin"</p> <p><i>Comment: The Examiner speaks to the overall method of using a Proxy server to analyze and modify user-requested data. There is no reference to the claim's resolving true subscriber identity from IP addresses and using that to determine bulletin policy.</i></p> |

| | | | | |
|----|---|---|--|--|
| e) | If bulletin message for the subscriber is not desired, allowing, by the redirecting device, a connection to the destination site to proceed normally. | The method whereby a subscriber's Internet request proceeds normally (i.e., a normal TCP/IP connection directly to the site) if no bulletin is to be delivered. <i>Comment: The claim states that, when no bulletin is to be delivered, the direct site connection proceeds normally (i.e., exactly as if the system were never installed).</i> | (Col. 3, line 64-67) | The method whereby a subscriber is forwarded the pre-stored contents of the previously requested site without the contents being modified from the form it had when previously fetched by the proxy. In all cases, the subscriber is only forwarded information from the Proxy Cache, with or without modification, but never directly from the destination site. <i>Comment: The Examiner speaks to using the intervening device to forward or relay stored but unmodified site information when no bulletin is desired. There is no reference to the claim's allowing a true connection to the original site much less for it to proceed normally.</i> |
| f) | If the bulletin message for the subscriber is desired, examining by the redirecting device, the accessed upstream traffic to determine if it is possible to send a redirection, wherein the examining occurs without modifying the accessed upstream traffic. | The method whereby, with only accessing and without modifying upstream traffic, that upstream traffic is examined by the redirecting device to determine when it is possible to send a redirection to the subscriber that causes the subscriber to both fetch the bulletin message (directly from wherever it is located on a Web server on the Internet) and fetch the original destination site contents directly from the site with no intervening device. <i>Comment: the claim speaks to the process of examining the user's upstream data, without modification, in order to determine when it is possible (only in TCP/IP and HTML protocol terms) to issue a redirection (HTML redirection) if one is scheduled. It has nothing to do with the determination of whether that subscriber is due to be delivered a bulletin by a policy.</i> | (col. 5, line 8-13), specifically; network access systems also determine whether bulletins are to be delivered and which bulletins are to be delivered to the external computers.", and lines (30-47); | The method whereby the bulletins are delivered to the subscriber through the previously described method of first prefetching the content by the network access systems (Proxy Server) and then analyzing that retrieved site's contents and using that analysis along with a personal database of information about the user (e.g., user's address, age, gender, occupation, race, income, ethnicity, national origin, religion, education level, personal interests, etc., or users' profile data) to determine which bulletins are to be delivered and when they are to be delivered to that user. <i>Comment: The Examiner speaks to the determination of whether the user is to be delivered a bulletin based on the examined downstream content analysis along with an analysis of the personal information stored in a database about that user.</i> |
| g) | Based on the policy information, sending to the subscriber by the redirecting device, the redirection for a different destination site. | The method whereby the policy information is used to determine if a redirection is to be issued to the user's browser causing it to directly fetch other data, the bulletin, and possibly another redirection that causes it to fetch the originally desired data. All content, site content and bulletins, are directly accessed by the user. There is no intervening device in the traffic stream. <i>Comment: the claim speaks to sending the subscriber redirections based on policies.</i> | (col. 5, line 4-8) | The method whereby a device is interposed in the downstream data so that the requested data can be first accessed by this Proxy device, possibly modified, and then forwarded or relayed from the device to the subscriber. <i>Comment: The Examiner speaks to the method of interposing a Proxy device between the user and all Internet accesses to permit adding data to accessed data. This is unlike Claim 1 where all user-accessed data is direct from the site and bulletin delivery is through redirections.</i> |

Based on the aforementioned remarks and amendments, Applicants believe that the Simmons reference differs substantially from currently pending claim 1 as highlighted above. Applicant thus respectfully requests reconsideration of the rejection of currently pending claim 1.

Respectfully Submitted,



Raffi Gostanian, Jr.
Registered Patent Agent
Reg. No. 42,595

Date: 06/19/06

RG & Associates
1103 Twin Creeks, Ste. 120
Allen, TX 75013

972.849.1310